

Agenda

September 4, 2012

Warren Town Council Meeting

Town Hall

514 Main Street

6:00 PM

Consent Agenda- all items listed with an asterisk (*) are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen request in which event the item will be withdrawn from the General Order of Business and considered in the normal sequence on the agenda.

PLEDGE OF ALLEGIANCE:

INTERVIEWS:

Interviews / Appointment – Municipal Court Clerk

- 1. Fortin, Riana Lee**
- 2. Gresh, Catherine A.**
- 3. McGovern, Christine E.**
- 4. Oliveira, Deborah**

ACCEPTANCE OF MINUTES:

Acceptance of July 31, 2012 minutes

Acceptance of August 14, 2012 minutes

CONSENT AGENDA:

***P-1, *P-2, *P-3, *P-6, *P-7**

ORDINANCE:

Chapter 3 – ANIMALS AND FOWL Sec 3-2.5. (1st reading)

(Red) = delete chicken hens / green = add fowl

Maximum (chicken hens) fowl permitted

(Author's Note: See definitions at the end)

A. The owner of any house lot in any residential zone except the residential 40 (R-40) zone containing at least one dwelling may keep or permitted to keep on the house lot no more than six (chicken hens) fowl.

B. The keeping of more than six (chicken hens) fowl on any house lot requires an additional eight hundred (800) square feet of yard space dedicated to each additional (chicken hen) fowl.

C. No person shall keep any rooster.

D. All (chicken hens) fowl must be provided both a hen house (coop) and a fenced outdoor enclosure subject to the following provisions:

a. The hen house must be covered, predator-resistant and well ventilated. It shall be no more than eight feet in height and a maximum of 64 square feet in area,

b. The fence made of (chicken) wire or a stronger substance shall be no more than six feet in height,

c. The hen house must provide a minimum of two square feet per

(chicken hen) fowl,

d. The hen house must be kept clean dry and sanitary at all times; manure must be composed in compost bins,

e. The hen house must be located upon a permeable surface that prevents waste run-off,

f. The fenced enclosure must adequately contain the (chicken hens) fowl at all times,

g. The fenced enclosure must be kept clean and sanitary at all times,

h. The hen house must provide the (chicken hens) fowl with adequate protection from the elements and inclement weather and provide for the (chicken hens) fowl good health and prevent any unnecessary or unjustified suffering,

i. The hen house shall not be built onto any shared fence,

j. The hen house must be located at least twenty (20) feet from any dwelling,

k. The setbacks for the hen house and the enclosed area shall be those for the principal dwelling located on the house lot,

E. No person shall place food in the open for the feeding of any (chicken hens) fowl, except in such containers as will prevent the scattering of such food upon the ground. After such feeding, such food shall not be allowed to remain where it is accessible to rats.

F. No (chicken hens) fowl may be kept or raised within the dwelling.

G. The owner of the (chicken hens) fowl must be a resident of the dwelling located on the house lot.

H. The raising of (chicken hens) fowl shall be restricted to back yards or side yards; (chicken hens) fowl shall not be permitted, at any time,

on the part of the property directly abutting a main road.

I. The keeping of (chicken hens) fowl pursuant to this section shall be primarily for the purpose of raising (chicken hens) fowl and collecting the eggs produced thereof; this section shall not be construed to allow for the commercial slaughter and sale of any (chicken) fowl for any purpose.

J. Slaughtering of (chickens) fowl is not allowed.

K. This section shall be subject to the nuisance provisions of section 3-4.

L. All (chicken hens) fowl must be confined between the hours of 9:00 PM and 8:00 AM.

M. The Town Manager, on the advice of the Animal Control Officer, shall promulgate a registration process as a condition precedent to the construction of hen houses and the keeping of (chicken hens) fowl. Such registration shall include:

- a. Inspection and approval of the construction plans by the Building Official,**
- b. Payment of a fee set by the Town Council each year.**

Author's Notes:

1) While the term “fowl” in the classical sense means wild birds hunted for their flesh and “poultry” means domesticated birds raised for their eggs and flesh, the term fowl as used here to simplify the text. Also noted is the term fowl includes Galliformes (chickens, ducks, turkeys, grouse, partridge, pheasant, and quail) and Columbiformes (pigeons and doves).

2) Some residents are concerned that fowl currently existing in Warren may be “grandfathered” and suggest the following addition:

Pre-existing fowl

Fowl currently existing in the city shall not be "grandfathered" or permitted to remain after the effective date of this Ordinance; however, owners of the fowl will have 15 days from the effective date to come into compliance with this ordinance.

Or:

That all Ordinances or parts of Ordinances, in conflict herewith are hereby expressly repealed. Any person maintaining a pre-existing fowl coop, enclosure, or other structure or facility must be in compliance with the restrictions, construction requirements, maximum domestic fowl numbers, minimum distance requirements, and all other provisions in this ordinance.

PUBLIC HEARING:

PH-1

Public Hearing for Zoning Ordinance Amendment

From: R-10 to VB with condition of additional Restaurant use.

From: Edward J. Cox II

16 Butterworth Avenue

Bristol, RI 02809

**Address of Change: 840 Main Street, Warren, RI
(Plat 15B-Lot 20)**

PETITIONS:

***P-1**

Request for a Class F beverage License

From: St. Alexander Church

221 Main Street

Warren, RI 02885

Date: September 30, 2012

Place: Church Hall, 218 Main Street

Event: Macaroni Dinner

***P-2**

Request for a Class F Beverage License

From: St. Mary of the Bay Parish

645 Main Street

Warren, RI 02885

Date: September 15, 2012

Place: St. Mary of the Bay Parish

Event: 2nd Annual Celebration of Law Enforcement & Steak Fry

***P-3**

Request for a Holiday License

From: Advance Auto Parts #8912

582 Metacom Avenue

Warren, RI 02885

P-4

Request Public Hearing for BV Liquor License

From: The Cary Corporation

d/b/a The Square Peg

51 Miller Street

Warren, RI 02885

P-5

Request for a 5K Run/Walk Neighborhood Race

From: Touisset Point Community Club &

Cole River Club

Coggeshall Road

Warren, RI 02885

Date: Saturday, September 15, 2012

Time: 8:00am

Place: Touisset Point

***P-6**

Request for a Class F1 Beverage License

From: Warren Association of Vietnam Veterans

P.O. Box 293

Warren, RI 02885

Date: September 23, 2012

Place: Pete Sepe Pavilion

Event: Annual Chicken Barbeque

***P-7**

Request a Transfer for Victualling License

From: Metro Diner

440 Child Street

Warren, RI 02885

**To: Vincent Storti
d/b/a Vinny's Kitchen
440 Child Street
Warren, RI 02885**

CORRESPONDENCE:

****C-1**

BCWA- Update

NEW BUSINESS:

NB-1

**Discussion and Action on Policy as to Waste Water I & A Systems
Inspections**

NB-2

**Petition for Guardrail- Canario and Ridgeway Drive (Report from
Traffic**

Committee)

NB-3

Request Authorization of Town Council President to sign an agreement with CB Utility Water Street Infrastructure Project.

NB-4

Request approval to overspend the Harbormaster Operating Expenses Account

(2-01-560-04-2010) in the amount of \$299.01.

Vendor Amount

Ace Hardware \$31.96

Port Supply \$267.05

NB-5

Letter of resignation from Zoning Board Member Benedict Ferrazzano and authorize advertisement of vacancy.

NB-6

Letter of resignation from Economic Development Board Member Darcy DaCosta and authorize advertisement of vacancy.

NB-7

Request to increase BV Liquor Licenses from Twenty One (21) to Twenty Two (22).

NB-8

Discussion and action regarding refurbishment and or replacement of the gateway / welcome sign on Market Street.

NB-9

Discussion & action regarding marking the existing sections of the River Walk.

NB-10

Discussion & action regarding removal of the chain link fence at National Grid site.

NB-11

Discussion and action regarding Policy and Procedures for agenda items

TOWN MANAGER:

- 1. Request for executive session pursuant to RIGL 42-46-5 (a) (5) Open-space acquisition.**

Roll Call:

- 2. Request for executive session pursuant to RIGL 42-46-5 (a) (2) Collective Bargaining and Litigation**

Roll Call:

SOLICITOR:

1. Discussion and action on a claim filed by Janine Hudson and Devonte Cheek

Represented by Frank S. Lombardi Law Associates

POLICE CHIEF:

1. Traffic Committee -Status Report on Resident Parking Program

HIGHWAY DIRECTOR:

1. Discussion and action regarding bid for Heavy Equipment Services

2. Request to award bid and authorize the Town Council President to

sign the contract for Bituminous Concrete Paving & Full Depth Reclamation with Town Solicitor's approval.

3. Request to award bid and authorize the Town Council President to sign the contract for Sidewalk and Curbing Project with Town Solicitor's approval.

FIRE CHIEF:

1. Request approval to renew service support agreement with Physio Control, Inc.

Request motion to convene to Executive Session:

Discussion and action on items discussed in Executive Session:

Adjournment:

Individuals requesting interpreter services. For the hearing impaired must notify the Town Clerk's Office at least forty-eight (48) Hours prior to the meeting. 401-245-7340(voice) or "via RI Relay 1-800-745-5555" (TTY).